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UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 02-00225 DAE
	)	
Plaintiff,	)	STIPULATION AND ORDER
	)	CONTINUING TRIAL AND
vs.	)	EXCLUDING TIME UNDER THE
	)	SPEEDY TRIAL ACT
ANDY S.S. YIP, (01)	)	
BRENDA M. O. CHUNG, (02)	)	Old Trial Date: 11/28/2006
	)	<b>New</b> Trial Date: 02/22/2007
Defendants.	)	
_____	)	

STIPULATION AND ORDER CONTINUING TRIAL  
AND EXCLUDING TIME UNDER THE SPEEDY TRIAL ACT

The parties, through counsel, stipulate as follows:

This case is currently set for trial on November 28, 2006. There have been four prior continuances of the trial date.

Defendant Andy S.S. Yip, Defendant Brenda M. O. Chung, and the United States make this joint request for a continuance in order that defense counsel and counsel for the government may complete certain other cases currently set for trial and may have

sufficient time to review voluminous government exhibits and records to adequately prepare for trial.

For these reasons, the parties hereby stipulate and the Court hereby orders that trial shall be continued from November 28, 2006, to February 22, 2007, at 9:00 a.m, before Judge David Alan Ezra, and that the time from the current trial date, November 28, 2006, through and including February 22, 2007, shall be excluded from computation under the Speedy Trial Act.

By approving the stipulation and order, the Court finds that a continuance is necessary so that counsel will have adequate time to prepare for trial, taking into account the exercise of due diligence and to maintain continuity of counsel. The Court further finds pursuant to 18 U.S.C. § 3161(h)(8)(A) that the ends of justice served by taking such action outweigh the best interest of the public and the Defendants in a speedy trial, and that denial of a continuance would likely result in a miscarriage of justice. See 18 U.S.C. § 3161(h)(8)(B)(iv).

The final pretrial conference shall be held on January 23, 2007, at 10:00 a.m. before Magistrate Judge Kevin S.C. Chang. Defendants' motions are due December 24, 2006, and the government's response is due January 9, 2007.

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IT IS SO STIPULATED.

DATED: November 13, 2006, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.  
United States Attorney  
District of Hawaii

By /s/ Leslie E. Osborne, Jr.  
LESLIE E. OSBORNE, JR.  
Assistant U.S. Attorney


/s/ Howard T. Chang  
HOWARD T. CHANG, ESQ.  
Attorney for Defendant  
ANDY S.S. YIP

/s/ Howard K. K. Luke  
HOWARD K. K. LUKE, ESQ.  
Attorney for Defendant  
BRENDA M. O. CHUNG

IT IS SO APPROVED AND ORDERED.

DATED: November 17, 2006, at Honolulu, Hawaii.



  
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David Alan Ezra  
United States District Judge

United States v. Andy S.S. Yip, et al.

Cr. No. 02-00225 DAE

"Stipulation and Order Continuing Trial  
and Excluding Time under the Speedy Trial Act"